

UNITED STATES DISTRICT COURT
for the
Southern District of Texas

United States Courts
Southern District of Texas
FILED

May 13, 2022

United States of America) Nathan Ochsner, Clerk of Court
v.)
Nancy Dalinda Benavides-De Leon (1990/Mexico)) Case No. M-22-0957-M
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Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 12, 2022 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 USC § 952	Illegal Importation of a Controlled Substance / Approximately 4.42 Kilograms of Cocaine, a Schedule II Controlled Substance.
21 USC § 963	Conspiracy to Illegally Import a Controlled Substance / Approximately 4.42 Kilograms of Cocaine, a Schedule II Controlled Substance.

This criminal complaint is based on these facts:

See Attachment "A"

Continued on the attached sheet.

Complaint authorized by: AUSA Paxton Warner

Submitted by reliable electronic means, sworn to
and attested to telephonically per Fed. R. Cr. 4.1,
and probable cause found on:

Date: May 13, 2022 7:03 AM

City and state: _____ McAllen, Texas

/s/ Nicholas C. Stott
Complainant's signature

Nicholas C. Stott, HSI Special Agent
Printed name and title


Judge's signature

U.S. Magistrate Judge Nadia S. Medrano
Printed name and title

Attachment "A"

I, Nicholas C. Stott, am a Special Agent of the United States Homeland Security Investigations (HSI) and have knowledge of the following facts. The facts related in this attachment do not reflect the totality of information known to me or other agents/officers, merely the amount needed to establish probable cause. I do not rely upon facts not set forth herein in reaching my conclusion that a complaint should be issued, nor do I request that this Court rely upon any facts not set forth herein in reviewing this attachment in support of the complaint.

1. On May 12, 2022, Homeland Security Investigations in McAllen, Texas, (HSI McAllen) received a request for investigative assistance from the U.S. Customs and Border Protection Office of Field Operations at the Hidalgo Port of Entry (POE) in Hidalgo, Texas. CBP Officers (CBPOs) detained Nancy Dalinda Benavides-De Leon ("BENAVIDES"), a citizen of Mexico and lawful permanent resident, while attempting to enter the U.S. with approximately 4.42 kilograms of cocaine concealed within the battery located in the vehicle BENAVIDES was driving.
2. During primary inbound inspection, CBPOs obtained a negative oral declaration for fruits, food, alcohol, tobacco, drugs, weapons and currency over \$10,000.00 from BENAVIDES. CBPOs referred BENAVIDES and the vehicle to secondary inspection for further inspection.
3. A CBP K-9 drug detection team conducted a free air inspection which resulted in a positive alert for the odor of controlled substance(s) emanating from the vehicle.
4. A physical search of the vehicle was conducted, and four tape wrapped and vacuum sealed packages, weighing approximately 4.42 kilograms, were discovered concealed within the battery of the vehicle. CBPOs field tested the substance inside the packages which was presumptive positive for the properties and characteristics of cocaine.
5. A HSI Special Agent (SA) and Task Force Officer (TFO) responded to the Hidalgo POE to assist in the investigation. The HSI SA and TFO interviewed BENAVIDES, who stated she was hired by an unknown person in the United States to transport what she knew were drugs into the United States from Mexico. BENAVIDES stated she expected to be paid \$800.00 for the smuggling event. BENAVIDES admitted to multiple other drug smuggling events over the past year.